

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SANDRA GLASS and EDWARD GLASS,)	
)	
Plaintiff,)	
)	
v.)	Case No.:
)	
NEWELL BRANDS, INC. d/b/a)	
SUNBEAM PRODUCTS, INC. and)	
JOHN DOE DEFENDANTS 1 THROUGH 10,)	
)	
Defendants.)	

**DEFENDANT’S NOTICE OF REMOVAL AND COPIES OF ALL
PROCESS AND PLEADINGS**

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant NEWELL BRANDS INC., incorrectly sued as Newell Brands Inc. d/b/a Sunbeam Products, Inc. (“Defendant”), submits the following Notice of Removal from the Court of Common Pleas for Philadelphia County, the Court in which the above-captioned matter is now pending, to the United States District Court for the Eastern District of Pennsylvania. In support of Defendant’s Notice of Removal, it states as follows:

Nature of Action

1. This lawsuit arises out of an alleged October 1, 2021 incident in which Plaintiffs allege that, while using the Pressure Cooker at their home in Warminster, Pennsylvania, the Pressure Cooker exploded causing hot liquid and steam to eject onto Plaintiff Sandra Glass. Exhibit A, Pg. 000004, ¶ 10.

2. Plaintiffs commenced this action on October 2, 2023 by filing a Complaint in the Court of Common Pleas for the Philadelphia County. This matter was assigned to Case No. 1381 (September Term, 2023).

3. Pursuant to 28 U.S.C. § 1446(a), Defendant attaches copies of all process, pleadings and orders filed in the Court of Common Pleas for the Philadelphia County case. See Exhibit A.

Timeliness of Removal

4. Defendant Newell Brands Inc. was served with the complaint on October 10, 2023.

5. This Notice of Removal is being filed within thirty (30) days after service of the complaint and is therefore timely pursuant to 28 U.S.C. § 1446(b)(1).

Amount in Controversy

6. A defendant's notice of removal need only include a "plausible allegation" that the amount in controversy exceeds the jurisdictional threshold. *Dart Cherokee Basin Operating Co., LLC v. Owens*, 135 S. Ct. 547, 554 (2014) (citing 28 U.S.C. § 1446(a)).

7. "The amount in controversy is not measured by the low end of an open-ended claim, but rather a reasonable reading of the value of the rights being litigated." *Auto-Owners Ins. Co. v. Stevens & Ricci*, 835 F.3d 388, 401 (3d Cir. 2016) (quoting *Angus v. Shirley*, 989 F.2d 142, 146 (3d Cir. 1993)).

8. Plaintiffs are seeking judgment for personal injuries in excess of the jurisdictional limits of all lower courts in which this action could otherwise have been brought. See Exhibit A.

9. Here, Plaintiffs are claiming that "Plaintiff suffered from severe burns, permanent scarring, and the medical treatments necessitated thereby, which caused her pain, suffering, disability, disfigurement, deformity, impairment, mental anguish, anxiety, humiliation, and increased susceptibility to infection." Exhibit A, Pg. 000009, ¶ 32.

10. Accordingly, based upon a reasonable reading of the rights being litigated, the amount in controversy exceeds \$75,000, exclusive of interest and costs.

Diversity of Citizenship

11. According to Plaintiffs' complaint, Plaintiffs are residents of Bucks County, Pennsylvania.

12. Defendant Newell Brands Inc. is a Delaware Corporation with its principal place of business located in Atlanta, Georgia.

13. Pursuant to 28 U.S.C. §1332 (c)(1), full diversity exists among all parties in this action because Plaintiffs are citizens of Pennsylvania, and Defendant is a citizen of Delaware and Georgia..

Plea for Removal

14. Insofar as the amount in controversy exceeds \$75,000.00 and full diversity exists between the parties, removal to this Court is proper pursuant to 28 U.S.C. §1332(a) and 28 U.S.C. §1441(a).

15. Written notice is being given to all parties and the Clerk of the Court of Common Pleas for the Philadelphia County that this Notice of Removal is being filed with this Court.

WHEREFORE, Defendant, NEWELL BRANDS INC., incorrectly sued as Newell Brands Inc. d/b/a Sunbeam Products, Inc., respectfully requests that the entire state court action currently pending in the Court of Common Pleas for the Philadelphia County as Case No. 1381 (September Term, 2023) be removed to this Court for all further proceedings.

Respectfully submitted,

GOLDBERG SEGALLA LLP

By:

A handwritten signature in black ink, appearing to read 'Stadelman' with a stylized flourish at the end.

Sean T. Stadelman, Esquire
PA Attorney Id. No. 201636
1700 Market Street, Suite 1418
Philadelphia, PA 19103-3907
Tel.: 267-519-6850
sstadelman@goldbergsegalla.com

*Attorney for Defendant,
Newell Brands Inc.,
Incorrectly identified as Newell Brands
Inc. d/b/a Sunbeam Products, Inc.*

Dated: October 23, 2023